

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

EZRA CHOWAIKI,

Defendant.

18-cr-323 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

On February 21, 2022, the defendants in the New York State court case Rick Silver v. Alon Zakaim Fine Art Limited, et al., 160435/2018 (N.Y. Cnty.), Alon Zakaim Fine Art Limited, Alon Zakaim, Galerie B. Weil Limited, David Breuer-Weil, Thomas Gibson Fine Art Limited, and Hugh Gibson, who are not parties in the above-captioned action, submitted a letter asking the Court to issue a clarification that the stipulated forfeiture order issued in this case, ECF No. 127, as amended by ECF No. 128, does not constitute an adjudication of their right in the painting implicated by that order - Marc Chagall's Bouquet de Giroflées, see ECF No. 131.

To the extent the letter can be interpreted as seeking relief, that request is DENIED. The Court has no jurisdiction to grant relief at the request of a nonparty or to otherwise issue an advisory opinion clarifying a nonparty's rights. See Aref v. United States, 452 F.3d 202, 206 (2d Cir. 2006) ("[A nonparty] may

not petition [the] court for relief in a case in which [it] lacks involvement.").

SO ORDERED.

Dated: New York, NY

April 26, 2022


JED S. RAKOFF, U.S.D.J.